

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TYRONE NOEL NUNN,

Plaintiff

Case No. 2:24-cv-02343-GMN-BNW

ORDER

v.

HIGH DESERT STATE PRISON, et al.,

Defendants

On December 16, 2024, Plaintiff Tyrone Nunn submitted a civil-rights complaint. ECF No. 1-1. Plaintiff neither paid the \$405 filing fee nor filed an application to proceed *in forma pauperis* (“IFP”), one of which is necessary to commence a civil action.

Plaintiff has filed over 80 pro se lawsuits in this district since July 2023.¹ Dozens of these lawsuits have been dismissed because Plaintiff failed to correct fundamental defects with them like filing a single, signed complaint and either paying the filing fee or filing a complete IFP. Although the Court will give Plaintiff an opportunity to file an IFP or pay the full filing fee in this case, the Court is considering other case-management options for Plaintiff, including recommending immediate dismissal of a case or declaring Plaintiff a vexatious litigant, if his unwillingness to file the documents necessary to initiate a civil action continues. *See Ready Transp., Inc. v. AAR Mfg., Inc.*, 627 F.3d 402, 404 (9th Cir. 2010) (holding that it is well-established that district courts have the inherent power to control their docket).

As Plaintiff is well aware, this Court must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. *See* 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma**

¹ The Court takes judicial notice of the online docket records of the U.S. Courts, which may be accessed by the public at: <https://pacer.uscourts.gov>.

1 ***Pauperis for Inmate***, which is pages 1–3 of the Court’s approved form, that is properly signed by
2 the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s
3 approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a
4 copy of the **inmate’s prison or jail trust fund account statement for the previous six-month**
5 **period**. *See* 28 U.S.C. § 1915(a)(1)–(2); Nev. LSR 1-2. *In forma pauperis* status does not relieve
6 an inmate of his or her obligation to pay the filing fee, it just means that the inmate can pay the fee
7 in installments. *See* 28 U.S.C. § 1915(b).

8 It is therefore ordered that Plaintiff has **until February 5, 2025**, to either pay the full \$405
9 filing fee or file a complete application to proceed *in forma pauperis* with all three required
10 documents: (1) a completed application with the inmate’s two signatures on page 3, (2) a
11 completed financial certificate that is signed both by the inmate and the prison or jail official, and
12 (3) a copy of the inmate’s trust fund account statement for the previous six-month period.

13 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
14 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff to
15 refile the case with the Court, under a new case number, when Plaintiff can file a complete
16 application to proceed *in forma pauperis* or pay the required filing fee.

17 The Clerk of the Court is directed to send plaintiff Tyrone Nunn the approved form
18 application to proceed *in forma pauperis* for an inmate and instructions for the same, and to retain
19 the complaint (ECF No. 1-1) but not file it at this time.

20 DATED: January 6, 2025

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23 UNITED STATES MAGISTRATE JUDGE
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